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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,330	09/23/2003	John Hane	57132.000007	1649

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT	PAPER NUMBER
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2612

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/667,330	Applicant(s) HANE, JOHN	
	Examiner TRAVIS R. HUNNINGS	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-29 and 31-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-15,17-29 and 31-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 5-8, 10, 13, 15, 19-22, 24, 27, 29 and 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons et al. (Lemons; US Patent 6,504,479) in view of Shere (US Patent 6,392,538) and further in view of Dillon et al. (Dillon; US Patent 6,658,463).

Regarding claim 1, Lemons discloses *Integrated Security System* that has the following claimed limitations:

The claimed detecting means for detecting the presence of an intruder in a predetermined area or a plurality of predetermined areas is met by the burglar alarm system (column 3, lines 1-8);

The claimed communicating means for communicating via communication signals from a subscriber location to a processing center the detection of the presence of the intruder in the predetermined area or in one or more of the plurality of predetermined areas is met by the system communicating alarm system information from the monitored area to the control center (column 2, lines 31-65);

The claimed receiving means to receive signals from the processing center at the subscriber location is met by the communications channel being able to send data to the monitored area (column 3, lines 9-23);

The claimed satellite signals received from the processing center carry data to activate a local alarm/warning system at the subscriber location is met by the control center sending commands able to control all aspects of the local alarm system at the monitored area (column 3, lines 33-41; column 4, lines 42-45; column 5, lines 15-25; column 8, lines 65-67).

However, Lemons does not specifically disclose the claimed satellite signals encode data alerting the processing center to the presence of said intruder in said predetermined area or said one or more of the plurality of predetermined areas. Shere discloses *Advanced Services Interactive Security System* that teaches a security system with bi-directional communications using satellites (column 3, lines 3-15). Modifying Lemons to utilize satellites for communication would increase the flexibility of the device by providing an alternate form of communication. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons according to the teachings of Shere to utilize satellite communications to communicate from the control center to the monitored area.

Lemons and Shere disclose all of the claimed limitations except for the claimed security system wherein the communicating means comprises a satellite return channel. Dillon discloses *Satellite Multicast Performance Enhancing Multicast HTTP Proxy System And Method* that teaches using a satellite return channel to accomplish two-way

communication in common satellite networks (col3 58-67). Utilizing a satellite return channel in the device of Lemons and Shere would accomplish the two-way communication needed by the communication link when the remote monitor and base stations communicate with each other. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons and Shere according to the teachings of Dillon to use a satellite return channel to accomplish the two-way communication.

Regarding claim 5, the claimed security system wherein the detecting means comprises a detection apparatus interface is met by the burglar alarm system (column 3, lines 1-8).

Regarding claim 6, the claimed security system wherein the processing center comprises a provider antenna for transmitting and/or receiving satellite signals is met by the communications channel for communicating through satellites from the control center to the monitored area (Shere: column 3, lines 3-15). The communication link associated between the base station and remote monitors would inherently have an antenna to accomplish the satellite communications.

Regarding claim 7, the claimed security system wherein the predetermined area or plurality of predetermined areas is operatively associated with a subscriber antenna at a subscriber location is met by the burglar alarm system monitoring the monitored

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area (column 2, lines 31-63) having a communications channel through satellite communications (Shere: column 3, lines 3-15).

Regarding claim 8, Lemons discloses the use of a communications channel for the reporting of alarms from the burglar alarm system (column 2, lines 31-63) it would have been obvious to one of ordinary skill in the art that when an alarm condition is detected at a remote location being monitored that instantaneous reporting of that condition to the central control center would have been advantageous.

Regarding claim 10, the claimed security system wherein the detection of the intruder alters the frequency of the satellite signals is met by the reporting of alarms from the burglar system (column 2, lines 31-63). The frequency of the signals when an intrusion is not detected is zero because there are no signals being sent and when the intrusion is detected the frequency of the signals changes because a signal is then sent to the control center.

Regarding claim 13, the claimed security system further comprising processing means at the processing center for processing satellite signals encoding data alerting said processing center to the presence of the intruder in the predetermined area or plurality of predetermined areas is met by the control center receiving the reporting of alarms from the burglar alarm system through the communications channel (column 2, lines 31-63).

Regarding claim 15, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 19, the claim is interpreted and rejected as claim 5 stated above.

Regarding claim 20, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 21, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 22, the claim is interpreted and rejected as claim 8 stated above.

Regarding claim 24, the claim is interpreted and rejected as claim 10 stated above.

Regarding claim 27, the claim is interpreted and rejected as claim 13 stated above.

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Regarding claim 29, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 33, the claim is interpreted and rejected as claim 5 stated above.

Regarding claim 34, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 35, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 36, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 37, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 38, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 39, the claim is interpreted and rejected as claim 1 stated above.

3. Claims 3, 4, 17, 18, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Taylor (US Patent 6,643,510).

Regarding claim 3, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the satellite signals are transmitted at a DBS frequency. Taylor discloses *Mobile Platform Real Time Availability And Content Scheduling System And Method* that teaches a satellite communication link that operates on the DBS frequency (col7 10-19). Configuring the device of Lemons and Shere to operate the communication link on a satellite frequency that is concurrent with the DBS frequency would be beneficial because the DBS frequency is a common frequency used by satellite systems. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Taylor to set up the satellite signals to operate in the DBS frequency range.

Regarding claim 4, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the satellite signals are transmitted at a FSS frequency. Taylor teaches a satellite communication link that

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operates on the FSS frequency (col7 10-19). Configuring the device of Lemons and Shere to operate the communication link on a satellite frequency that is concurrent with the FSS frequency would be beneficial because the FSS frequency is a common frequency used by satellite systems. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Taylor to set up the satellite signals to operate in the FSS frequency range.

Regarding claims 17 and 31, the claims are interpreted and rejected as claim 3 stated above.

Regarding claims 18 and 32, the claims are interpreted and rejected as claim 4 stated above.

4. Claims 9 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Stadler (US Patent 6,764,261).

Regarding claim 9, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the detection of the intruder interrupts the transmission of satellite signals. Stadler discloses *Locking Device And Method For Catch Basin And Manhole Covers, And The Like* that teaches a device that

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monitors for the occurrence of a specific security event and constantly sends out signals from the device to a remote location, upon the detection of the specific security event the device halts sending the signals so the remote location can determine that the event has occurred (col4 57-63). Altering the reporting mode of the device of Lemons, Shere and Dillon to constantly send signals to the base station until an intrusion is detected by the one or more object sensors would not only allow the device to detect the intrusion but it would also allow it to detect a fault in the system if a particular component failed in the communication link as that too would cause an event condition. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Stadler to alter the reporting mode so that detection of intrusion would stop the transmission of satellite signals.

Regarding claim 23, the claim is interpreted and rejected as claim 9 stated above.

5. Claims 11 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Jang (US Patent 6,614,884).

Regarding claim 11, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system wherein the frequency of the satellite

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signals corresponds to a predetermined security condition. Jang discloses *Automatic Home Alarm System And Method* that teaches a security system with a plurality of monitored areas, each monitored area has a sensor that is assigned a particular frequency when it reports to the signal-receiving unit (col4 33-47). Modifying the communication link of Lemons, Shere and Dillon to assign each monitored area a particular frequency would help the base station to determine which particular area is reporting an intrusion event. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Jang to assign each particular monitored area a particular frequency.

Regarding claim 25, the claim is interpreted and rejected as claim 25 stated above.

6. Claims 12, 14, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemons in view of Shere in view of Dillon and further in view of Dohrmann (US Patent 6,577,234).

Regarding claim 12, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system further comprising selection means for selecting an active or inactive mode for the security system. Dohrmann discloses *Security System* that teaches a security system that has a selection means for arming

and disarming the security system (col1 41-58). Adding a selection means to Lemons, Shere and Dillon to allow for the system to be turned active or inactive would add flexibility to the device and allow for the device to be turned off in particular areas that do not need to be monitored all of the time. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Dohrmann to include selection means to set the security system in an active or inactive mode.

Regarding claim 14, Lemons, Shere and Dillon disclose all of the claimed limitations except for the claimed security system further comprising means for providing local response to the detection of the intruder. Dohrmann teaches a local response to the triggering of the security system (col1 41-58). Adding a means for local response to Lemons, Shere and Dillon would allow for notification of the intrusion event to users who are within the vicinity of the remote monitored areas and allow them to react accordingly. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Lemons, Shere and Dillon according to the teachings of Dohrmann to include a local response in the security system.

Regarding claim 26, the claim is interpreted and rejected as claim 12 stated above.

Regarding claim 28, the claim is interpreted and rejected as claim 14 stated above.

Response to Arguments

7. Applicant's arguments filed 9 January 2008 have been fully considered but they are not persuasive. Applicant argues the following:

Argument A: Lemons fails to disclose or teach "the satellite signals received from the processing center carry data to activate a local alarm/warning system at the subscriber location".

Argument B: Shere does not disclose nor teach a bi-directional satellite communication system.

Argument C: the use of Dillon as a reference is improper hindsight and the references of Dillon, Lemons and Shere are from non-analogous fields of art.

Argument D: Lemons teaches away from a satellite return channel by using a common channel and one of ordinary skill in the art would not have modified the common channel of Lemons with the two channels of Dillon.

Argument E: Shere teaches away from a return channel as seen by the communication channel from the sensors being one way as seen in figure 2.

Responses:

Regarding argument A, Lemons discloses a "common interface...used to control all of the functions or operations of the...alarm system" in column 3, lines 31-35. One of

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ordinary skill in the art would have understood that disclosure to meet the claimed limitation of signals received from the processing center carrying data to activate a local alarm/warning system at the subscriber location.

Regarding argument B, Shere clearly discloses bidirectional communication and control of a home security system through satellite communications in column 3, lines 3-15. The sensor communicating with the central monitoring office as seen in figure 2 is not the only monitored premises in Shere as seen by the security system (220) in figure 2 also being connected to the central monitoring office.

Regarding argument C, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper.

The references of Lemons and Shere are analogous because they both relate to the monitoring of a security system, while the references of Shere and Dillon are analogous because they both relate to the use of satellite communications.

Regarding argument D, one of ordinary skill in the art would have realized that in modifying Lemons to utilize a completely different communication means, in the form of satellite communications as taught by Shere and Dillon, that modifying the common channel of communication would be necessary in order to accomplish the communication schemes as taught by Shere and Dillon.

Regarding argument E, The sensor communicating with the central monitoring office as seen in figure 2 is not the only monitored premises in Shere as seen by the security system (220) in figure 2 also being connected to the central monitoring office.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George A. Bugg can be reached on (571) 272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRH

/George A Bugg/
Acting SPE of Art Unit 2612